

REMARKS

Claims 1, 6, 9 and 10 are pending in this application. By this Amendment, claim 10 is added. No new matter is added.

The Office Action, in paragraph 1, objects to the title as allegedly being non-descriptive. As the title was previously amended to obviate the rejection and Applicant submits that the title is sufficiently descriptive, withdrawal of the objection is respectfully requested. If, however, the Office Action continues to maintain that the title is non-descriptive, Applicants respectfully request that the Office Action provide further guidance as to what the Office Action would deem sufficiently descriptive.

The Office Action, in paragraph 3, rejects claims 1 and 6 under 35 U.S.C. §103(a) as being unpatentable over GB 2,325,329 (Ahan) in view of U.S. Patent Application Publication No. 2003/0067434 (Haga) and U.S. Patent No. 5,534,809 (Watanabe). The Office Action also rejects claim 9 under 35 U.S.C. §103(a) over U.S. Patent No. 7,057,589 (Shin) in view of Watanabe. These rejections are respectfully traversed.

With respect to claim 1, in response to Applicant's arguments presented in the August 1, 2007 Amendment, the Office Action asserts that paragraphs [0117] and [0218] of Haga teach that "having driver circuits on both ends of line would reduce/eliminate the signal delay between both ends of the lines." However, the Office Action takes the teaching of these paragraphs out of context. Specifically, paragraph [0017] recites that the entire embodiment (i.e., all of the features of the embodiment) including a level shifter/timing buffer 108 and scanning-line driver circuit 109 disposed on both sides of the display area eliminates the delay between both ends of the gate lines. There is no indication that the mere placement of the driver circuits results in the feature; rather, the placement of the driver circuits in combination with the other features of the embodiment help to eliminate the alleged delay.

With respect to claim 9, the Office Action asserts that Shin remedies a different problem than Watanabe because Shin is directed to "large" displays while Watanabe is directed to signal lines with the same length/width. However, assuming, *arguendo*, that Shin and Watanabe are directed to different problems, there is no motivation to combine Shin with Watanabe as previously asserted. As such a conclusion would not have been obvious and appears to be based on the impermissible application of hindsight reasoning using Applicants' disclosure as a roadmap in attempting to render obvious the subject matter of the pending claims.

Focusing on the obviousness of substitutions or differences is improper; rather, the claimed invention must be considered as a whole. *Gillette Co. v. S. C. Johnson & Son, Inc.*, 919 F.2d 720, 724 (Fed. Cir. 1990). Precedent teaches that it is impermissible simply to engage in a hindsight reconstruction of the claimed invention, using the patent as a template and selecting elements from references to fill the gaps. See, e.g., *In re Rouffet*, 149 F.3d 1350, 1358 (Fed. Cir. 1998), citing *In re Gorman*, 933 F.2d 982, 986 (Fed. Cir. 1991), citing in turn *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143 (Fed. Cir. 1985). Rather, there must be "something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination." See, e.g., *In re Rouffet*, 149 F.3d at 1356, and the cases cited therein. See also *In re Fulton*, 391 F.3d 1195, 1200 (Fed. Cir. 2004), citing *Rouffet*; *Sibia Neurosciences*, 225 F.3d at 1356; and *ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 546 (Fed. Cir. 1998). As variously stated by the Federal Circuit, there must be some reason, teaching, suggestion, inference, motivation, or incentive in the prior art to make the selections made by the inventor and combine the prior art to produce the claimed invention. See, e.g., *Rouffet*, 149 F.3d at 1355; *Pro-Mold and Tool Co. v. Great Lakes Plastics Inc.*, 75 F.3d 1568, 1573 (Fed. Cir. 1996); *Gorman*, 933 F.2d at 986-987; and *Ashland Oil, Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 281, 297 n.24 (Fed. Cir. 1985), *cert. denied*, 475 U.S. 1017

(1986). Furthermore, a motivation to combine only flows from a combination that is, on balance, desirable, not merely feasible. See *In re Fulton*, 391 F.3d at 1200, citing *Winner Int'l Royalty Corp. v. Wang*, 202 F.3d 1340, 1349 (Fed. Cir. 2000). As explained by the *Winner Int'l Royalty Corp.* court, “[t]rade-offs often concern what is feasible, not what is, on balance, desirable. Motivation to combine requires the latter.” This standard is not met by the Office Action.

This argument was presented in the August 1, 2007 Amendment. The Office Action responded to this argument asserting that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. However, the Office Action fails to address why one of ordinary skill in the art would want to reduce signal delay in Ahan or why one of ordinary skill in the art would have modified Shin to make the signal-supplying lines equal in load capacitance.

Accordingly, even if the references could somehow be interpreted to together teach all of the features of claims 1 and 9, the Office Action fails to provide proper motivation as to why a skilled artisan would have combined Ahan, Haga and Watanabe or Shin and Watanabe to achieve the above-quoted features of claims 1 and 9, respectively.

For at least the above reasons, the applied references are not combinable in the manner suggested and cannot reasonably be considered to have suggested the combinations of all of the features positively recited in at least independent claims 1 and 9. Further, claim 6 would also not have been suggested by the applied references for at least the respective dependence of this claim on an allowable claim 1, as well as for the separately patentable subject matter that claim 6 recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1, 6 and 9 under 35 U.S.C. § 103(a) as being unpatentable over the applied references are respectfully requested.

Further, new claim 10 is patentable over the applied art at least for the reasons discussed above.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Request for Continued Examination

Date: October 31, 2007

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